



WEST VIRGINIA DEPARTMENT OF TRANSPORTATION
Division of Motor Vehicles

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Thomas J. Smith, P. E.
Cabinet Secretary

February 8, 2019

The Honorable Gary G. Howell
West Virginia House of Delegates
Building 1, Room 213-E
1900 Kanawha Boulevard, East
Charleston, West Virginia 25305-0470

Re: W.Va Code §3-2-11

Dear Delegate Howell:

Please consider this letter the Division of Motor Vehicle's response to the House Committee on Government Organization's request for information regarding the DMV's inability to meet the requirements of the Automatic Voter Registration law as required by W.Va. Code §3-2-11.

The current iteration of the law that is effective July 1, 2019 requires DMV to collect and submit several pieces of information not previously collected such as the e-mail address, telephone number, and "any premarital names." Providing the additional information will necessitate programming changes and requisite testing for the DMV's legacy mainframe system, to the DMV's driver license system and to the DMV's online renewal system. DMV does not employ programmers to maintain, change or test the three systems. Programming responsibilities for the mainframe system are centralized with the Department of Transportation and are performed by employees and/or contractors for DOT. Available resources are outside the direct control of the DMV as are resources for the online renewal system which is administered by a vendor who has a master contract with the State of West Virginia for online services.

The DMV's driver license system is awarded to a vendor through the state purchasing process. DMV's driver's license vendor will be required to make programming changes and requisite testing for its system in accordance with the contract or in accordance with change orders to the contract. DMV's current driver's license contract is set to expire on September 30, 2019. A new contract has already been awarded to a different vendor that is set to start production on October 1, 2019. The request for proposal did not incorporate the changes for the Automatic Voter Registration bill. A delay in imposition of the requirements to W.Va. Code § 3-2-11 would avoid duplication of costs and efforts by the DMV by allowing any changes to be made solely by the new vendor whose contract is for three years with options to renew at one-year intervals thereafter. It

would also allow the programmers for the mainframe system and the online system to make any necessary changes with the new driver's license vendor.

As a practical matter, the requirement to provide "any premarital names" may be quite burdensome to accomplish if the expectation is to provide every name prior to the current marital name even if there have been multiple marriages and/or name changes.

Finally, DMV recently discovered, with the assistance of the Secretary of State's Office, a technical glitch with the current voter registration system that has yet to be resolved. The glitch has prevented some individuals from being registered to vote through the electronic process in place. Although all parties have been working diligently to correct the problem, there is no current time estimate available because the source of the glitch has not yet been identified. It would be prudent to identify the source of the current problem and fix it before beginning a new process.

For these reasons, DMV respectfully requests an extension of time before implementing the provisions of W.Va. Code §3-2-11.

Sincerely,

A handwritten signature in black ink, appearing to read "Pat Reed", with a long horizontal flourish extending to the right.

Pat Reed, Commissioner

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